



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,777	01/18/2001	Yoji Matsuda	016907/1191	5960

22428 7590 09/23/2004

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

CARTER, TIA A

ART UNIT	PAPER NUMBER
----------	--------------

2626

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/761,777

Applicant(s)

MATSUDA, YOJI

Examiner

Tia A Carter

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7 and 9-16 is/are rejected.
- 7) ☒ Claim(s) 3, 8 and 17-22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4 and 6</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-6, and 9-15 rejected under 35 U.S.C. 102(e) as being anticipated by Shimizu et al. (US. 6609162).

Regarding claim 1, Shimizu et al. discloses an image forming system constructed by a plurality of devices connected (Fig. 1, col. 4, lines 23-26), comprising:

A first device (scanner 102) having at least a read function to read an original document (fig. 2, col. 5, lines 12-14), a setting function to set a processing condition with respect to image data thus read (Fig. 2, col. 5, lines 27-28) and a transmission function to process and transmit the original document image read under the processing condition set by the setting function

Art Unit: 2626

(operational panel 208) (fig. 1, col. 4, lines 30-33 and fig. 2, col. 5, lines 25-29);
and

A second device (printer 2095, 2902, 2903) connected to the first device (fig. 1, col. 4, lines 38-41) and having a change setting function to change the processing condition set by the setting function of the first device, of the original document image received from the first device (scanner 102), upon receipt of the original document image transmitted from the first device, and an image output function to perform processing on the original document image under the processing condition changed by the change setting function, thereby to output an image (figs. 24, col. 15, lines 49-67 and col. 16, lines 1-15).

Regarding claim 2, Shimizu et al. discloses the system according to claim 1, wherein the processing condition is density information, original document type information such as a photographic original document, a text original document, or the like, image attribute information such as adjustment value information for correcting gamma, and the like (fig. 18, col. 11, lines 62-67 and col. 12, lines 1-7).

Regarding claim 4, Shimizu et al. discloses an image read system in which a plurality of first devices (scanner 102) having at least a read function to read at least a original document image, and a second device (printers 2095, 2902, 2903) having at least a setting function to set a read condition are connected

Art Unit: 2626

through a communication channel (fig. 1, col. 4, lines 22-27 and lines 38-42 and lines 50-53), wherein

Each of the first devices (scanner 102) has a read function to read the original document, based on the read condition supplied from the second device (fig. 2, col. 5, lines 12-14), and

The second device (printer 2095, 2902, 2903) has setting means for setting a read condition for the read function of each of the first devices (fig. 1, figs. 5-7, col. 11, lines 36-67 and col. 12, lines 1-7), and an interface for outputting the read condition set by the setting means to each of corresponding one or ones of the devices (fig. 3, col. 5, line 45).

Regarding claim 5, Shimizu et al. discloses the system according to claim 4, wherein first devices each having the setting function (operational panel 208) or the second device has the read function (fig. 1, col. 4, lines 50-61).

Regarding claim 6, Shimizu et al. discloses the system according to claim 4, wherein the read condition is density information, original document type information such as a photographic original document, a text original document, or the like, image attribute information such as adjustment value information for correcting gamma, and the like (fig. 18, col. 11, lines 62-67 and col. 12, lines 1-7).

Regarding claim 9, Shimizu et al. discloses the system according to claim 4, wherein the read condition is density information, original document type information such as a photographic original document, a text original document, or the like, image attribute information such as adjustment value information for correcting gamma, and the like (fig. 18, col. 11, lines 62-67 and col. 12, lines 1-7).

Regarding claim 10, Shimizu et al. discloses an image read system in which a plurality of first devices (scanner 102) having at least a read function to read at least a original document image (fig. 2, col. 5, lines 12-14), a second device (facsimile 2904) having at least a setting function to set a read condition (fig. 1, col. 4, lines 64-67), and a third device (printer 2903) having at least an image forming function to form an image based on image data, on a medium where an image is to be formed, are connected through a communication channel (fig. 1, col. 4, line 67 and col. 5, lines 1-3).

Each of the first devices is comprised of a scanner (102) for reading the original document image (fig. 2, col. 5, lines 12-14), based on the read condition supplied from the second device, and a first interface (network interface 101) for outputting the image data read by the scanner to the third device (fig. 1, col. 5, lines 17-18), together with an image forming condition of the image data supplied from the second device, to the third device (fig. 1, col. 4, lines 26-28 and lines 64-67 and col. 5, lines 1-9),

Art Unit: 2626

The second device (facsimile 2904) is comprised of setting means for setting a read condition for the read function of each of the first devices, and individual image forming conditions for image data, respectively corresponding to the first devices (fig. 1, col.4, lines 62-67 and col. 5, lines 1-3; **see** figure 24), and a second interface (public network 2905) for outputting the read condition set by the setting means to each of corresponding one or ones of the first devices (fig. 1, col. 4, lines 62-64), and

The third device (printer 2903) has an image forming device for forming an image based on image data supplied from the first devices, on an image forming medium where an image to be formed, based on the image forming condition supplied together with the image data (fig. 17, col. 15, lines 49-67 and col. 16, lines 1-15).

Regarding claim 11, Shimizu et al. discloses the system according to claim 10, wherein each of the first devices (scanner 102) has at least one of the setting function and the image forming function 9operational panel: fig. 17, col. 11, lines 11-20), the second device (printers 2095, 2902, or 2903) has at least one of the setting function and the image forming function (fig. 18, col. 11, lines 31-56), and the third device (facsimile device 2904) has at least one of the setting function and the read function (fig. 1, col. 4, lines 62-67) (col. 14, lines 5-10).

Regarding claim 12, Shimizu et al. discloses the system according to claim 10, wherein the read condition is density information, original document type

Art Unit: 2626

information such as a photographic original document, a text original document, or the like, image attribute information such as adjustment value information for correcting gamma, and the like (fig. 18, col. 11, lines 62-67 and col. 12, lines 1-7).

Regarding claim 13, Shimizu et al. disclose the system according to claim 10, wherein each of the image forming condition is a condition which specifies image formation on one surface of the image forming medium, image formation on both surfaces of the image forming medium, rotation of the image data, reversal of image data, and image forming style expressing descending or ascending order of a plurality of pages of image data (fig. 17, col. 11, lines 36-67 and col. 12, lines 1-7).

Regarding claim 14, Shimizu discloses the system according to claim 10, wherein each of the image forming conditions specifies the type of the image-forming medium (sheet selection 3108: fig. 18, col. 12, line 4).

Regarding claim 15, Shimizu discloses the system according to claim 14, wherein a condition specifying a type of the image forming medium is output medium information such as thick paper, color-dedicated paper, normal paper OHP, or the like (fig. 1, col. 4, lines 53-56; see figs. 22 and 24).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al. in view of Kato (6771386).

Regarding claim 7, Shimizu et al. discloses the system according to claim 4, wherein each of the first and second devices has the setting function and the read function (figs. 2-3, col. 5, lines 12-28 and lines 39-52).

Shimizu et al. **does not disclose** a master is specified by any one of the first and second devices, thereby to specify other device as slaves.

Kato **disclose** a master is specified by any one of the first and second devices, thereby to specify other device as slaves (fig. 14, col. 11, lines 32-36).

It would have been obvious to one skilled in the art at the time of the invention to modify Shimizu et al. wherein a user device specify function is implemented to specify the dominant device, this feature allows a user to manipulate change and control over specific devices in the network without conflicting request job from remote locations.

Art Unit: 2626

Regarding claim 16, Shimizu et al. discloses the system according to claim 10, wherein each of the first and second devices has the setting function and the read function (figs. 2-3, col. 5, lines 12-28 and lines 39-52).

Shimizu et al. **does not disclose** a master is specified by any one of the first and second devices, thereby to specify other device as slaves.

Kato **disclose** a master is specified by any one of the first and second devices, thereby to specify other device as slaves (fig. 14, col. 11, lines 32-36).

It would have been obvious to one skilled in the art at the time of the invention to modify Shimizu et al. wherein a user device specify function is implemented to specify the dominant device, this feature allows a user to manipulate change and control over specific devices in the network without conflicting request job from remote locations.

Allowable Subject Matter

5. Claims 3, 8, and 17-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maniwa (US. 5933584) and Machida (US. 6718378) are

Art Unit: 2626


cited to show related art with respect to plural device communication via network link.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TAC
9/17/2004

Tia A Carter
Examiner
Art Unit 2626

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER